REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-19 are pending in this application.

Claims 31-45 have been canceled without prejudice.

Claims 20-30 have been withdrawn.

Regarding the § 101 Rejection

Claims 1, 9, 14, 15, 31 and 45 were rejected under 35 USC § 101 because they were directed to nonstatutory subject matter. Applicant has amended claims 1, 9, 14, 15, 31 and 45 so that the claimed invention set forth meets the two prong test described by the Examiner. In particular, claim 1 has been amended to involve, use, or advance the technical arts because one or more of the elements are now performed using a technical apparatus. For example, the receiving step is performed by a composition engine. The step of determining a price is performed by a pricing engine. The pricing engine and receiving engine are supported in Figure 1 of the originally filed application and the related text.

Claim 9 has been amended to recite a "composition engine means" and a "pricing engine means" in order to direct the claim to statutory subject matter.

Claim 14 which is directed to a computer readable medium having stored thereon sequences of instructions has been amended to incorporate a processor which causes a computer to do a variety of things. As such, Applicant submits that claim 14 is now directed to a statutory device.

Claim 15 has been amended to make clear that a graphical user interface (GUI) is where a plurality of text display areas and price display areas are displayed. A graphical user interface is part of an electronic display device that is always associated with a computer or computer

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system. As such, Applicant respectfully submits that claim 15 is directed towards statutory subject matter.

Claims 31 and 45 have been canceled without prejudice thereby rendering the rejection to these claims moot.

Based on the above discussion, Applicant respectfully submits that claims 1, 9, 14 and 15 have been amended such that they are directed toward statutory subject matter and respectfully requests that this § 101 rejection be withdrawn.

Regarding the § 112 Rejection

Claim 7 was rejected under 35 USC § 112 due to a lack of antecedent basis for the element "the image." Applicant has amended claim 7 to depend upon dependent claim 6 thereby correcting the antecedent basis. Applicant respectfully requests that this § 112 rejection be withdrawn.

Regarding the § 103 Rejections

Claims 1-19 and 31-45 were rejected under 35 USC § 103(a) as being rendered obvious by Ben-Artzi et al (WO 2000/03332 A1), in view of the Applicant's own admissions.

Applicant respectfully points out that although Ben-Artzi does teach receiving text of some nature. It does not specifically teach, allude to, or render obvious receiving text from an advertiser. Furthermore, Ben-Artzi does not teach, allude to or render obvious "substantially simultaneously formatting the text of the classified advertisement for at least two of the plurality of device types." In particular, Ben-Artzi discusses the use of tags that are sent along with bits of data for the purpose of activating appropriate text and graphic routines that are preloaded into the host computer/device. (See Ben-Artzi pg. 5, 3rd para and Figure 3) This is done to speed up the process of moving data, but does not format the data substantially simultaneously for at least two of a plurality of device types. Conversely, Ben-Artzi merely formats the data for one device

type, which is also discussed as a problem with the prior art in the background of the invention portion of the present application.

On page 6 of Ben-Artzi in the 3rd paragraph, an editor (not a computer system) performs a layout block by selecting articles/information from a database with the help of the inventory tags. Indeed, Ben-Artzi is teaching a method for transmitting data for a publication but is not "substantially simultaneously formatting the text of the classified advertisement for at least two of the plurality device types." Furthermore, Ben-Artzi does not teach, allude to or render obvious "displaying the classified advertisement to the advertiser as formatted for the device types." In particular, Ben-Artzi teaches displaying an article to an editor as he selects the articles and information from a data base with the help of the inventory tags. (See, Ben-Artzi pg. 6, 3rd para) Furthermore, Applicant agrees with the Examiner that Ben-Artzi does not teach determining a price for the classified advertisement as formatted for the device types. Applicant also points out that Ben-Artzi does not teach, allude to or render obvious a pricing engine for aiding and determining the price of a classified advertisement as formatted for the device types. Applicant further points out that the Applicant's own admissions in the background of the invention, does not teach, allude to or render obvious such a pricing engine. The cited art can not provide a price for an advertisement that is being formatted for more than one device type. In particular, the background of the invention discusses a "proprietary classified advertisement system" which is shown in Figure 1 of the present application and which requires a phone submission 106 or a fax submission 108 that is received by an order entry system 105, which, as discussed in the specification of the present application, is an employee of the newspaper or printing company. Such a prior art "proprietary classified advertisement system," also is not capable of displaying the price to the advertiser as the advertiser enters the advertisement into a computer system because a FAX or phone is being used by the advertiser.

Regarding independent claim 1, this claim recites, among other things, "substantially simultaneously formatting the text of the classified advertisement for <u>at least two</u> of the plurality of device types." Furthermore, claim 1 recites "displaying the classified advertisement to the advertiser as formatted for the device types." Finally, claim 1 further recites "determining a price, by a pricing engine, for the classified advertisement as formatted for the price types and displaying the price to the advertiser." Applicant respectfully submits, as discussed above, that Ben-Artzi does not teach, allude to or render obvious the various elements as recited in claim 1. Furthermore, there is nothing in either of the references, Ben-Artzi or applicants own admission that would cause a person of ordinary skill of the art to think of combining them. Ben-Artzi makes no reference to pricing an advertisement (entered by an advertiser) and displaying the pricing to the advertiser. Nor does Ben-Artzi teach or allude to substantially simultaneously formatting text of a classified advertisement <u>for at least two device types</u>. As such, Applicant respectfully requests that this § 103 rejection be withdrawn and submits that claim 1 is ready for allowance.

Claim 9, as amended, recites a "pricing engine means for determining a price for the classified advertisement as formatted for the device types." Applicant respectfully submits that Ben-Artzi , in view of the Applicants own admissions, does not teach, allude to or render obvious a pricing engine means for determining a price for a classified advertisement as formatted for at least two device types. Ben-Artzi does not discuss a pricing engine or pricing one device type and the Applicant's own admissions do not teach, allude to or render obvious pricing and advertisement via a pricing engine for at least two device types. As such, Applicant respectfully requests that this § 103 rejection be withdrawn and submits that claim 9 is ready for allowance.

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Claim 14, as amended, provides a computer-readable medium that causes a processor two "receive, by a computer, text of classified advertisement from an advertiser." Unlike Ben-Artzi or the Applicant's admissions, the processor is further caused to "substantially simultaneously format the text of a classified advertisement by said computer <u>for at least two</u> of the plurality of device types." Also, the classified advertisement "as formatted for the at least two of the plurality of devices" is displayed to the advertiser, which is also not taught or alluded to in Ben-Artzi or the Applicant's admissions. Claim 14 goes on to recite the processor being caused to determine a price for the "classified advertisement as formatted for the at least two device types in displaying the price to the advertiser." Applicant respectfully and further submits that neither Ben-Artzi nor the Applicant's submissions, teach, allude to render obvious formatting the price for at least two device types and displaying that price to the advertiser. As such, Applicant respectfully requests that this § 103 rejection be withdrawn and submits that claim 14 is ready for allowance.

Claim 15 claims a graphical user interface (GUI) for providing a user an input interface to place a classified advertisement. Claim 15 recites, among other things, "a plurality of text display areas on a single screen, in said GUI, operable to simultaneously display the text for the classified advertisement. The text displayed in the text areas having different formats." Ben-Artzi is quiet with respect to displaying on a single screen a plurality of text display areas wherein an advertisement can be displayed in different formats for different device types. Furthermore, since the Applicant's own admissions only discuss preparing an advertisement for a single device types, Applicant's own admissions do not teach, allude to or render obvious such an element either. As such, the combination of Ben-Artzi in view of its own admissions would not cause a person of ordinary skill in the art to create that which is claimed in claim 15. Furthermore, claim 15 recites "a plurality of price display areas in said GUI, each of the plurality

of price display areas being associated with a different text display area and operable to display a price for placing the advertisement based on the format of the text and the associate text display area." Again, Ben-Artzi and Applicant's own admissions are quiet with respect to this claim element and therefore do not teach, allude to or render obvious the presently claimed invention. As such, Applicant respectfully requests that the § 103 rejection be withdrawn and submits that claim 15 is ready for allowance.

Claim 16, being dependent on claim 15 is not rendered obvious for at least the same reasons as discussed above with respect to claim 15. Furthermore, the cited art does not teach, allude to or render obvious plurality of text display areas that represent different output devices that may be used to access the classified advertisement. As such, Applicant further submits that the cited arts does not teach, allude to or render obvious the claimed invention and respectfully requests that the § 103 rejection be withdrawn.

With respect to claims 2, 3, and 4, these claims are each dependent upon claim 1 and are therefore not rendered obvious for at least the same reasons as discussed above with respect to claim 1. Applicant respectfully requests that this § 103 rejection be withdrawn.

Claim 5, as amended, recites that the pricing engine computes "a total price based on a selection of the device types to provide access to the classified advertisement." Applicant respectfully submits that no where in Ben-Artzi or the Applicant's admission is there anything teaching, alluding to or rendering obvious, a pricing engine that computes a total price based on the particular device types that the advertisement will be provided on. As such, Applicant respectfully submits that claim 5 is ready for allowance and requests that the § 103 rejection be withdrawn.

Claims 6-8 are each dependent upon claim 1 and are therefore not rendered obvious for at least the same reasons as discussed above with respect to claim 1. As such, Applicant

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respectfully requests that this § 103 rejection be withdrawn and submits that these claims are ready for allowance.

Claim 10 is dependent upon claim 9 and is therefore not rendered obvious for at least the same reasons as discussed above with respect to claim 9. Furthermore, claim 10 recites "means for receiving at least two selections for at least two device types to distribute the classified advertisement." This is supported in Figure 3 of the present application and the associated text. Applicant respectfully submits that the cited art, by itself or in combination, does not teach, allude to or render obvious, making two selections for two device types or distribution of the classified advertisement. Applicant respectfully requests that this § 103 rejection be withdrawn and submits that claim 10 is ready for allowance.

Claim 11 is dependent upon claim 9 and is therefore not rendered obvious for at least the same reasons as discussed above with respect to claim 9. Furthermore, claim 11 recites a means for "receiving a selection for at least two categories to place the classified advertisement." Applicant submits that Ben-Artzi only allows for an article to be tagged for a single category such that the articles are placed in their appropriate fields so that when a periodical published the user can request all articles dealing with a particular subject. (See pg. 7, first para.) Applicant submits that Ben-Artzi uses a single tag for each article to eliminate confusion as to what category the article belongs to. Conversely, claim 11, as supported by the originally filed specification and Figure 3 of the present invention, allows for selecting at least two categories or more for placing the classified advertisement. As such, Applicant respectfully requests that this § 103 rejection be withdrawn and submits that claim 11 is ready for allowance.

Claim 12, which is not discussed by the Examiner in the present Office Action, is dependent upon claim 9 and is therefore not rendered obvious by the cited art for at least the same reasons as discussed above with respect to claim 9. Furthermore, claim 12 recites a means

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for "computing total price based on a selection of the device types to provide access to the classified advertisement." Applicant respectfully submits that none of the art cited, either by itself or in combination, teach, allude to or render obvious the claim as recited in claim 12. Applicant respectfully requests that this § 103 rejection be withdrawn.

Claim 13 is dependent upon claim 9 and is therefore not rendered obvious for at least the same reasons as stated above with respect to claim 9. Applicant requests that this § 103 rejection be withdrawn.

Claims 17, 18 and 19 are each dependent upon claim 15 and are therefore not rendered obvious for at least the same reasons as discussed above with respect to claim 15. Furthermore, claim 18 provides that text "in each of the text display areas" are individually editable. Applicant respectfully submits that Ben-Artzi does not teach, allude to or render obvious having multiple text display areas on a single screen wherein each of the text display areas are individually editable such that advertisements for different display devices can be individually edited. Such Applicant respectfully submits that claim 18 is further not rendered obvious by the cited art and respectfully requests that the § 103 rejection be withdrawn.

Regarding the Remaining Claims

The remaining claims that have been rejected being claims 31-45 have been canceled without prejudice. As such, Applicant respectfully submits that the rejections to these claims are rendered moot.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By_____
Steven R. Greenfield
Registration No.: 38,166

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JENKENS & GILCHRIST, A PROFESSIONAL
  CORPORATION
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
(214) 855-4500
Attorneys For Applicant

Attachments